

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Petitions for Limited Waiver of)	CC Docket No. 99-200
Section 52.15(g)(2)(i) of the)	
Commission's Rules Regarding)	DA 05-663
Numbering Resources)	

COMMENTS OF NENA

The National Emergency Number Association ("NENA") submits these initial comments in response to the Federal Communications Commission ("Commission" or "FCC") public notice (DA 05-663) in the captioned proceeding asking for comments on the petitions for limited waivers of Section 52.15(g)(2)(i) of the Commission's numbering rules filed by RNK, Inc. d/b/a RNK Telecom (RNK), Nuvio Corporation (Nuvio), Unipoint Enhanced Services d/b/a PointOne (PointOne), Dialpad Communications, Inc. (Dialpad), Vonage Holdings Corporation (Vonage), and VoEX, Inc.(VoEX); collectively "Petitioners."

To the extent that grant of the waivers will give Petitioners more reliable and affordable means of providing enhanced 9-1-1 ("E9-1-1") features of caller identification, location and call routing to their customers, NENA supports the requests. We are disappointed, however, that none of the Petitioners mentions E9-1-1 as "good cause" in the public interest to waive the rule rather than follow it literally.

It is unacceptable for providers of Voice over Internet ("VoI") service to continue, for any extended period, the prevalent practice of forwarding calls to 10-digit "administrative lines" at Public Safety Answering Points ("PSAPs") without caller

identification or location and with only rudimentary routing.¹ Armed with directly-assigned numbers and a suitable 9-1-1 interconnection agreement or tariffed service from a local exchange carrier, non-carriers such as Petitioners would have the means to offer their fixed-mode² VOIP customers the enhanced emergency calling that is characteristic of conventional wire telephony and is becoming so for wireless.³

While it is tempting to ask the Commission to make immediate E9-1-1 availability a condition of the waivers – and we support, in spirit, the Texas commenters who have advanced this position – it may be sufficient to make the grants contingent on grantees’ ultimate compliance with the outcome of the general IP services rulemaking (WC Docket 04-36). We say “may be sufficient” advisedly. We have reason to hope that the issues involving access to 9-1-1 by VOIP customers can be separated out from the multiplicity of topics under discussion in the docket and placed on an accelerated path

¹ In an ex parte communication in WC Docket 04-36 dated April 7, 2005, Vonage called for rules to prohibit PSAPs from blocking access to “administrative” (10-digit) numbers which receive calls outside the native 9-1-1 network. We believe that any VOI calls which must, for some transitional period, be directed to PSAPs outside the 9-1-1 network should go only to numbers designated solely for emergency calls and staffed around the clock.

² Fixed-mode means here that the point of use is stationary and registered in advance. Some of the uses are not movable from point to point at all, while others are movable but depend on the user’s notifying the provider of his changed location in time for the move to be entered into the system. A means of distinguishing the two cases is to call one “fixed” and the other “nomadic.”

³ We understand that the grantee of the initial waiver on which Petitioners rely, SBCIS, has entered into an agreement with its affiliate, the incumbent local exchange carrier, SBC, that specifically provides for E9-1-1 services to SBCIS customers.

to decision.⁴ If so, it will be feasible to condition the waivers on the docket's results for E9-1-1.

NENA's VOIP/Packet Technical Committee has been working on proposed migratory ("I2") standards designed for transitional, cost-effective use of the existing public switched and 9-1-1 networks. The Committee is aiming for a set of recommendations by the end of this month, and for NENA internal review to be completed in another month, so that public comment on the recommendations can be received beginning June 1, 2005. The Committee's efforts to date are summarized at <http://www.nena.org/9-1-1TechStandards/voip.htm>.

NENA hopes these brief comments will draw responses from Petitioners and other VOIP providers that engage on the issues of E9-1-1 service. If they do, it would be useful to file them in WC Docket 04-36 as well as this proceeding. We plan to read any such responses carefully and comment on them as appropriate. By the time of the reply comment round on April 26th, we hope to have salient information on the SBC-SBCIS arrangement, and on tests of VOIP calls direct to the E9-1-1 network conducted with Qwest, BellSouth, Verizon and perhaps SBC.

Respectfully submitted,

NENA

By

⁴ Statement of Commissioner Martin at the opening of the rulemaking referencing "public safety services such as 911," together with statements of Commissioners

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James R. Hobson
Miller & Van Eaton, P.L.L.C.,

1155 Connecticut Avenue, N.W.
Washington, D.C. 20036-4320
(202) 785-0600

ITS ATTORNEY

Abernathy and Copps on the SBCIS waiver order expressing a preference for generic decisions to be made in WC Docket 04-36.